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U.S. PTO  
09/689730



Date: October 13, 2000

Docket No.: 0055-0310P

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a ☐ continuation ☒ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 08/448,489 filed on June 7, 1995,  
the entire contents of which are hereby incorporated by  
reference,  
by

SEIKI, Motoharu; SATO, Hiroshi; and SHINAGAWA, Akira

for

NOVEL METALLOPROTEINASE AND ENCODING DNA THEREFOR

1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).
2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$710.00	\$355.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	10-20 =	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	6-3 =	3	x 80 = \$240.00	x 40 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$270.00	+ \$135.00
TOTAL			\$950.00	\$0.00

3. ☒ A check in the amount of \$950.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 08/448,489, filed on June 7, 1995, the entire contents of which are hereby incorporated by reference.--
- A/ b. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 08/448,489, filed on June 7, 1995, which is a continuation-in-part application of PCT International Application No. PCT/JP94/02009 filed on November 30, 1994. The entire contents of each of the above-identified applications are hereby incorporated by reference.--
6. ☒ Enclosed is/are fifteen (15) sheet(s) of formal drawings and/or photographs.
7. ☐ A statement claiming small entity status was filed in prior Application No. 08/448,489 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.

8. ☒ The prior application is assigned to Fuji Yakuhin Kogyo Kabushiki Kaisha.
9. ☒ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on \_\_\_\_\_.
- 10b. ☒ Priority of International Appln. PCT/JP94/2009 filed on November 30, 1994 under the Patent Cooperation Treaty and Japanese Application No. 5-341061 and 7-109884 filed in JAPAN on November 30, 1993 and March 31, 1995, respectively under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
  
**or**  
Customer No. 2292
13. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 08/448,489 in order to establish co-pendency with the present application.
14. ☒ Also enclosed herewith is the following:  
Receipt of Deposit of Microorganism  
\_\_\_\_\_  
\_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Maryanne Armstrong (NY No 40,064)  
Marc S. Weiner, #32,181

MSW/MAA/csp  
0055-0310P

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Attachments

(Rev. 09/29/2000)

PATENT  
55-290P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Motoharu SEIKI et al.

Serial No.: 08/448,489

Group: Unassigned

Filed: June 7, 1995

Examiner: Unassigned

For: NOVEL METALLOPROTEINASE AND ENCODING DNA THEREFOR

**COPY**

3625 U.S. PTO  
09/689730  
10/13/00

LETTER

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

September 6, 1995

Sir:

Under the provisions of 35 USC 119 and 37 CFR 1.55(a), the applicant(s) hereby claim(s) the right of priority based on the following application(s):

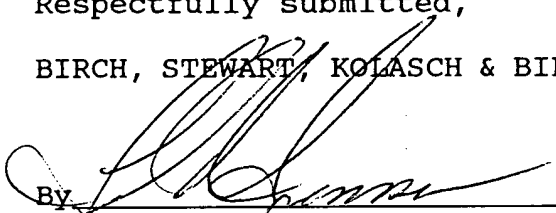
<u>Country</u>	<u>Application No.</u>	<u>Filed</u>
Japan	5-341061	November 30, 1993
Japan	PCT/JP94/2009	November 30, 1994
Japan	7-109884	March 31, 1995

A certified copy of the above-noted application(s) is(are) attached hereto.

Please charge any fees under 37 CFR 1.16-1.21(h) or credit any overpayment to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Leonard R. Svensson  
Reg. No. 30,330

LRS/pw

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment  
(Rev. 09-01-93)

FORM 7

RECEIPT OF DEPOSIT

Notification No.: 7-1054  
Notification Date: July 5, 1995

JC825 U.S. PTO  
09/689730  
10/13/00

To: Fuji Yakuhin Kogyo Kabushiki Kaisha  
Mr. Yuichiro Takeda, president

National Institute of Bioscience  
and Human-Technology (NIBH),  
Agency of Industrial Science and  
Technology  
Michio Oishi, Director General

I. IDENTIFICATION OF THE MICROORGANISM	
(Identification reference given by the DEPOSITOR)  XLI-Blue/MMP-X1	(Accession number)  FERM P-15032
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I above was accompanied by:  <input checked="" type="checkbox"/> a scientific description  <input checked="" type="checkbox"/> a proposed taxonomic designation	
III. RECEIPT AND ACCEPTANCE	
The microorganism received on July 5, 1995 identified under I above, hereby, was accepted.	